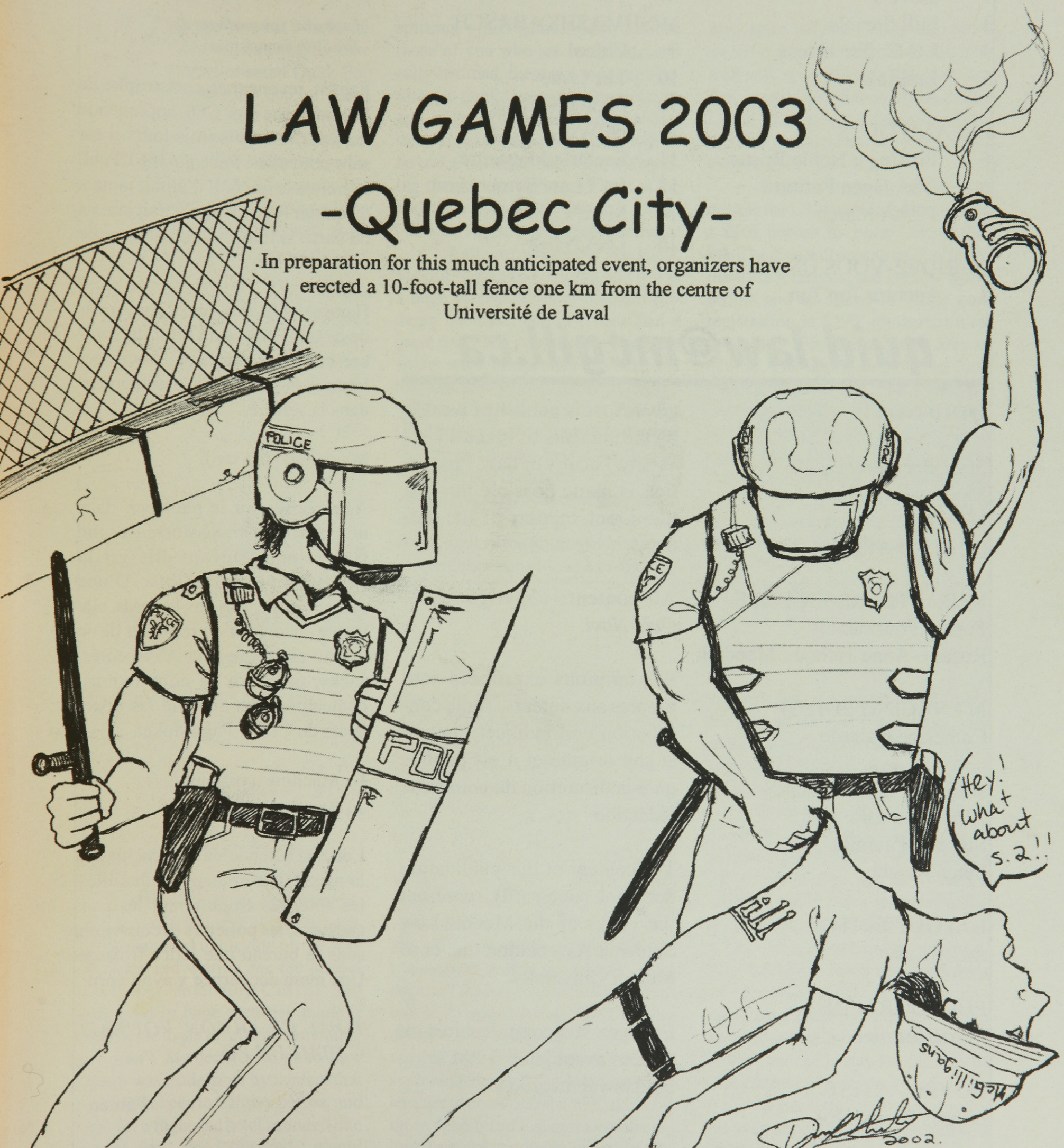


Quid Novi

McGill University, Faculty of Law
Volume 23, No. 6 - October 29, 2002

LAW GAMES 2003 -Quebec City-

In preparation for this much anticipated event, organizers have
erected a 10-foot-tall fence one km from the centre of
Université de Laval



In this Issue

LAW GAMES

- 3 Steve's
- 3 Still Steve's
- 4 LG Coffee House
- 5 Emilie's

INS AND OUTS

- 6 Picking a Noble Roster
- 6 LSA Open Forum
- 7 FTAA March

DERIDEZ-VOUS UN PEU

- 8 Factum Top Ten

- 8 MLJ Sex Issue

MISHMASHKABASCH

- 9 Chico!
- 10 The Issue
- 10 Figure Skating
- 11 HRWG
- 11 Esoteric Magazine
- 12 Int'l Law Symposium
- 14 Marc's Musings
- 16 LSA News

quid.law@mcgill.ca

QUID NOVI

3661 Peel Street
Montreal, Quebec
H2A 1X1
(514) 398-4430

REDACTEURS-EN-CHEF
Fabien Fourmanoit
Rosalie-Anne Tichoux Mandich

MANAGING EDITOR
Catherine Galardo

ASSOCIATE EDITORS
Alexandra Law
Stephen Panunto
Peter Wright

LAYOUT EDITOR
Jacky Luk

PHOTOGRAPHE
Marta Juzwiak

COVER ARTIST
Dennis Galiatsatos

Quid Novi is published weekly by the students of McGill University, Faculty of Law. Production is made possible through the direct support of the students.

All contents copyright 2002 *Quid Novi*.

Les opinions exprimées sont propres aux auteurs. Toute contribution doit indiquer l'auteur et son origine et n'est publiée qu'à la discrétion du comité de rédaction.

The content of this publication does not necessarily represent the views of the McGill Law Students' Association Inc. or of McGill University.

Envoyez vos commentaires ou articles avant jeudi 5 PM à: quid.law@mcgill.ca.

Editor's Spooky Note

"Look what you made me do!"
- *The Sixth Sense*

Fabien, revenant en catastrophe de la conférence du CCDI, appréhende le pire, car depuis trois jours il est sans nouvelles. Face au 3661 Peel, la crainte le saisit. Il n'aurait jamais dû quitter Rosalie. Il n'aurait jamais dû partir si loin en la laissant seule avec la Chose.

Harassé de fatigue, hanté par la peur de ce qui l'attend au bout du sombre corridor, ses mains tremblent lorsque la clé grince péniblement dans la serrure.

Mais il est trop tard.

Agenouillée sur le plancher, dans une marre de transistors, Rosalie fixe le mur. Devant elle git la carcasse dépecée d'un iMac. D'une main distraite, les yeux hagards, elle triture encore les vis rouillées de ce qui fut un disque dur. À ces côtés, Jacky, parcouru de convulsions, contemple d'un air vide les restes épars du CD de PageMaker.

La Machine a triomphé.

Lorsque le lendemain, franchissant la masse des étudiants endeuillés, les autorités emportèrent les trois cadavres, les policiers découvrirent sous le bureau une lettre froissée. Une main décharnée y avait écrit:

*TOUT CE QU'ON VOULAIT,
C'ETAIT UN PC.*

Fabien

Law Games 2003: Quebec City

by Stephen Panunto, VP Sports

Welcome to what I have decided will be a heavily Law Games-oriented Quid. For those of you who have not yet heard about Law Games (and I assume you have if you read the Quid), it is an annual student-run event that brings together law students from across the country for four days of competition in sports and academics, as well as all the parties that ensue. There are many reasons to attend Law Games: this year we will be in a beautiful hotel (Lowes Le Concorde) in a beautiful city (Quebec). It is a terrific opportunity to meet law students from across the country, perhaps meet new friends or run into old ones.

There is an activity for almost everyone: if you are into sports, there is certainly one for you: everything from ball hockey to basketball to football to ultimate. For those of you who like less physically demanding competitions, there are the fun games, like cherry

spitting, video games, pool etc. For those of you who are more academically inclined, there is a moot competition, a public speaking competition, and a trivia challenge. And of course there are parties: this year, they will all be on La Grande Allée, from the opening party to the pub crawl. And at the end, there is the big blowout: a formal banquet, so pack your fancy clothes.

Last year, as many of you know, McGill hosted Law Games and it was a huge success. Over a thousand students attended, and everyone had a great time. The parties were great, the sports were competitive but fun, and the banquet topped it off perfectly. However, we lost the sports award to Osgoode for the first time in four years, in large part due to the fact they had by far the biggest contingent, so more people equal a better chance of getting that trophy back home. Once again we didn't capture the Spirit award that we won in Ottawa oh so long ago. Calgary

won spirit because, while they were small in number, they were friendly, loud and, appropriately, full of spirit - they seemed to be having the best time. I hope this year our delegation will be like that: competitive, but positive and there to have fun.

Registration forms are available outside the LSA, and are due back with a \$100 deposit by Friday, November 8th. The total will depend on how much fundraising there is, and on how many people end up attending. Right now registration is \$190, transportation (if needed) is \$30, and uniforms around \$20-30. The aim is to have the final price down below \$200 for a four day trip to Quebec city in a four-star hotel. So if you are interested in being part of a great team, having fun, making new friends and unforgettable memories, sign up for Law Games. And if you have any ideas for a uniform, please, please please, let me know! ■

And On A Personal Note

by Stephen Pannuto, Law III

I really do think Law Games is an event that should be experienced first hand at least once. I remember sitting in the moot court while that year's VP Sports (Marianne) talked about going to Calgary for this big event that 'was not to be missed.' I was a bit skeptical, as I am not a huge party-goer. Plus, the only time I have ever really been involved in school activities was in my last year of high school, which consisted of playing on the soccer team and writing for the school newspaper. Attending CEGEP and undergrad in huge faculties made it hard for me to get involved in anything, so I didn't. My decision to go to Law Games was made more by the fact that I had never been to Calgary before, and \$500 for a flight and hotel sounded like a great deal; plus I figured I would

play some sports.

Well, that trip turned out to basically decide the direction of my law school career. I got a nickname in Calgary the first time, VP Sports for the Law Games we hosted last year, and am in charge of the delegation to Quebec City this year. And, in the words of Marta, I'm now "Mr. LSA", seemingly always around the faculty for one reason or another. I am certainly not bragging about this; when I was in first year, I remember seeing one of our dearly departed students at the faculty at 8pm one night and thinking "what a loser, doesn't he ever go home?" (I must point out that I have been accused of making snap judgements.) But I can say I am happier to be at school now that I know more people and I'm more involved. I look forward to coming in and talking

to people I now consider friends; people who in the past I may have only had a fleeting acquaintance with. And I can trace it all back to attending Law Games.

Now, I'm not making any guarantees that it will be great for everyone. But I can say this: I have honestly never heard anyone who ACTUALLY ATTENDED say they regretted going to Law Games, or thought it was lame. In fact, I've never personally heard anything but great things about people's Law Games experiences. All I'm saying is that there is more to school than school (or as one professor put it, "don't let your education stand in the way of your education"), and if you are going to choose one extra-curricular activity this year, choose Law Games. You will not regret it. ■

Law Games Coffee House This Thursday

Just another Coffee House? I think not! This Thursday, all proceeds for Coffee House will go towards the McGill delegation for Law Games - in other words, paying down the cost of YOUR trip to Quebec City (pretty good excuse to buy a drink, no?) But if that is not enough motivation for you, there is more: First, we will be screening last year's Law Games video. For those of you who have never been to Law Games, come and see what it's like, and for those of you who were there last year, come and see yourself on screen (again). Then, it's the Third Annual Law Games Auction. Once again we boast an impressive lineup for the auction, including (but not limited to):

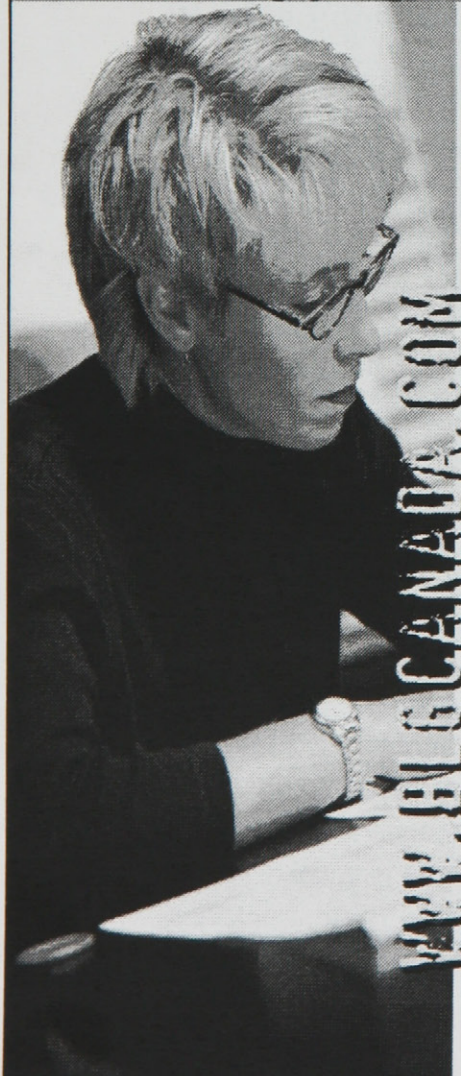
- * Dine with the Dean
- * Perogies with the President
- * Lunch With Lametti
- * Bike with Wright
- * last and least: VIP Skating with VP Sports (plus lasagna afterwards)

You'll have to come out and see what other services will be up on the block! Then, there is the raffle. Prizes include:

- * Canadiens tickets
- * Free Coffee at Pino & Matteos for a month
- * Candy basket from Sucré Blu
- * President Stone Clothing
- * Dinner at Carlos & Pepes
- * Free Coffee from A. L. Van Houtte
- * Uhlsport Soccer Ball
- * Borden Ladner Gervais Umbrella, Wind Vest, Sweater, Sports Bag and TV Blanket
- * Free passes to the Musée des Beaux-Arts
- * Law Games beer mugs

There will be food, and FREE CANDY for those of you in costume (it is Halloween, after all!) Plus, the faculty of Medicine has been invited, since they invited us to their Halloween Party later that night (so maybe you can meet a cute doctor, if they really do exist - just kidding!). So if you are going to attend just one Coffee House this semester, make sure it's this Thursday!

REAL LAW... REAL LIFE.



At **Borden Ladner Gervais LLP** we're looking for students who want to go the distance in law, and in life. We believe that many types of experiences contribute to the making of a top rate lawyer, not just those that take place behind the desk. Perhaps that's why so many students think we're a great place to work. And why so many students who article with our firm go on to become associates and partners with us.



**BORDEN
LADNER
GERVAIS**

With over 640 lawyers and other professionals in more than 50 practice areas, and offices across the country, we are one of Canada's leading law firms, known for the outstanding service we consistently provide our clients. We offer a breadth and depth of experience that is hard to match. If you want an opportunity to challenge yourself in law - and in life - find out about our student programs today.

For more information, please call a member of our Student Recruitment Team.

Calgary:	Colin MacDonald	(403) 232-9523
Montréal:	Janet Casey	(514) 954-3125
Ottawa:	Larry Elliot	(613) 787-3537
Toronto:	Laleh Moshiri	(416) 367-6133
Vancouver:	Marketta Jokinen	(604) 640-4176

Borden Ladner Gervais LLP

Lawyers • Patent & Trade-mark Agents
Avocats • Agents de brevets et de marques de commerce



Law Games, Team Sports and Beers, oh my!

by Emilie Dubreuil, Law III

All right, I've been informed by a certain someone who, for anonymity's sake, we'll refer to as S. Panunto, no wait, that's too obvious, lets call him Steve P., that if I wanted to write anything about law games, now would be a good time, so I'm writing. There's been a really weird thread in the Quid for the past couple of issues, and Law Games were mentioned tangentially. I just wanted to offer the opinion of one who, in her first year, thought that law games were a stupid and unnecessary excuse to drink and exert one school's superiority over another. I was totally wrong: law games rock for several reasons which, yes, I will briefly outline, or else, lets face it, this article would really, really suck.

1) THE SPORTS: you get to participate (or, if you're like me, assist and scream like a crazy person) at sports events and cheer on your fellow classmates, who as it turns out, play a pretty mean game of hockey. If you're really lucky, you might even get to attend a really dirty game and hear some pretty inventive and downright amusing, well, for the purposes of this article, we'll call it "enthusiasm" on the part of some fans (for all you first years who want in the loop, see Steve; for all you people who don't like law games and want to know, well, tuff).

2) THE SPIRIT AWARD: ok, this is the best thing! You actually get an award for being the loudest, most fun,

and well, most spirited delegation. Now how much does that rock! You win something for having the most fun! (Insert nod to my frosh group here, I can't wait to be loud and rowdy with you guys again!!!)

3) THE PUB-CRAWL: Well, we're all going to be wandering around in various bars across Quebec City with people intent on having a great time, I can think of a lot of worse ways to spend an evening!!! Seriously, what could be more fun than a ten bottle boat race between Université de Montréal and UQAM, hey, the French drinking songs alone are worth the trip (not to mention all you out of towners who are keen to brush up on their French, well, lets call it slang, yeah, slang will do...) Besides, considering that I actually get to participate this year as opposed to coordinating the darn thing and practically dropping dead with my twin at the end of the evening, anyone on board can be pretty sure that I'll make sure this event is great.

4) THE EDUCATIONAL VALUE: Now, I know this is usually, well, we'll say underplayed at law games, but heck, there's a lot to be learned at law games, just ask Steve! I, for example, learned which of my roommates can snore through an ENTIRE fire alarm in the middle of the night; I learned that beer bottles in bath tubs chips off the enamel (YOU SHOULD BE READING IN: HMMM, MUST REMEM-

BER NEVER TO DO THAT IF I EVER GO TO LAW GAMES); I learned that sangria keeps really well for at least four days out on a balcony in January in Montreal; I learned that Steve didn't know that the Bay sells black-fuzzy handcuffs, and I learned that Molson has dancers that they give away with their beer, yeah, scary I know...

5) THE BANQUET: Now, this is another really great reason to go to law games! Not only do you get to hear a completely incoherent speech from a senior partner who is, well, quite frankly smashed off his ass, or get to see the entire Université de Montréal delegation show up in their night-gowns, but you also find out which of your classmates remember (and much more amusingly, which don't) that it is much easier to drink free wine if they actually swallow the wine in their mouth before trying to take another gulp.

To conclude: yes, people drink; yes, people compete; but that's not all or even most of what people do. People who go with the intention of having fun (which, lets face it, is pretty much everybody who goes) have a heaping pile of it. As with anything else, I just hope that everyone, unlike I did at first, gives the games the chance they deserve, you might just end up with a bunch of killer friends and even more killer memories. ■

Coming soon to computers near you:
the new Quid Novi website

Picking A Noble Roster: Staff Appointments and the *sine qua non* of Good Professors

by Regan Morris, Faculty Councillor - Staff Appointments Committee

Although it may be a truism that any Faculty is only as good as its professors, it is less obvious how a Faculty makes sure its professors are good. As the student member on the Staff Appointments Committee, the Faculty's committee charged with making recommendations on the hiring of new professors, I would like to get your thoughts on this matter.

Currently the Appointments Committee looks at a broad range of factors designed to bring the best and brightest to the Faculty. On the whole the professorial make-up of the Faculty is supposed to represent a commitment to bilingualism, bi-juralism, multidisplinary, internationalism, and social and demographic diversity. On top of that, our professors are expected to be innovative pedagogues, dedicated to research and scholarship with a good deal of curiosity and willingness to expand into new academic areas.

No one, I think, would argue with the importance of these criteria. Indeed, they represent some of the core values of the McGill Faculty of Law and they are the reason many of us chose to come to study here.

They do not, however, necessarily represent what I think is most important from the student perspective. As I see it, students are desirous of two qualities above all in professors at a Faculty

of Law (and let me know if you disagree with me here): First professors must be good, competent pedagogues capable of transmitting knowledge and insight in an engaging and lively fashion. Second, they must bring an expertise or thorough knowledge of the subject matter they are teaching. Both qualities are for students the *sine qua non* of a good professor - the most well respected expert will not receive respect from students if he or she cannot teach effectively, and the best teacher will not be able to enlighten students if they do not know the subject matter well enough.

It is important that these "student criteria" are given their full weight in the hiring process. For example, not only do we need new professors who best reflect the criteria mentioned above (i.e., bijuralism, multidisplinary, scholarship, etc.), but we will need to look for experts to fill subject areas that are currently not covered at all or well enough in the curriculum.

Furthermore, we need to find better ways of judging a prospective candidates teaching ability. As it stands new candidates are required to give a short "trial seminar" to students and Faculty to display their pedagogical prowess. These seminars certainly need to become more open - I only found out that they even existed last week!

I recognize that this is sort of a simplistic and perfunctory view of the hiring process and its problems from the student perspective. Nonetheless I hope I have gotten across that it is important that students provide input to make it better. Here are some of the questions that I think are relevant:

* Are teaching abilities and expertise the right criteria to pursue in making sure new professors meet student expectations? What else are students looking for in professors?

* What exactly does "expertise" mean?

* Are there any areas of expertise or subject matters that currently aren't being filled by professors in the Faculty? If so, what are they? And how do we judge whether a candidate has that expertise?

* What exactly do we mean by "good teaching"?

* How do we better judge a candidate's teaching ability? Do we need bigger and better "trial seminars"? How else can we tell whether a professor is going to be good?

Any thoughts you may have on these questions or any other points raised in this piece would be greatly appreciated. You can e-mail me at regan.morris@mail.mcgill.ca, stop me in the hall, or even buy me a beer at coffeehouse if you'd like. Thanks. ■

LSA Open Forum

by Jeffrey Feiner, Law III, President - LSA

The LSA will be holding an open forum to discuss issues of fundamental importance to the Faculty on Wednesday October 30 at 12:30 p.m. in the Moot Court. As you may already have heard from various media sources, the Faculty is in the process of discussing potential methods to improve the school's fiscal situation.

As you know, students must be consulted before any decision is made. The students' position on finances, however, will depend upon our vision of what the Law Faculty is, what it should be, and what kind of school we want in the future.

The Open Forum will be an opportunity for all of us to express our opinions on these topics. I don't personally expect one unifying resolution to be reached at the conclusion of the meeting; however, what I do look forward to is a clear articulation of the range of student opinions. The procedure of the meeting will be simple. The LSA will make a short, informative background presentation. The meeting will then be opened up as a general moderated discussion. This is only the first step, but an important one, in the ongoing consultation process. I look forward to a fruitful discussion.

FTAA March on October 31st

by Finn Makela

Next Thursday, students, workers, and activists across the hemisphere will be participating in a day of action to denounce the Free Trade Area of the Americas (FTAA). Though our very own LSA has done little to promote the event, SSMU has been working with other

sector. A barrier is defined as a 'tariff' (border tax) or 'non-tariff' (any set of laws, practices or policies that are deemed to restrict trade). The GATS framework is the basis for the FTAA services agreement.

What these rules mean is deeply disturbing to anyone concerned about democratic rights and social justice. The powerful combination of a new services agreement with 'investor-state' rules means that the FTAA will give transnational corporations unprecedented new rights. By transferring power away from democratically elected governments, the FTAA will subvert any public control over the economy.

The aim of the FTAA is to remove 'barriers' to trade and investment. In the world of international trade our public schools themselves are considered such barriers. Public funding is defined as an unfair subsidy. Public administration is called 'government monopoly'. The public regulation of tuition fees is seen as 'predatory pricing'. These forms of public financing and democratic control of post-secondary institutions will be challenged as non-tariff barriers. Any policy that restricts investment by foreign-based, for-profit universities and colleges (like affirmative action hiring or residency requirements for governing boards) could be challenged as a trade barrier. Public subsidies will have to be made available to the private, for-profit institutions. Under the FTAA, the public education system itself will become slowly dismantled as public funds are depleted.

Why a Student Strike?

Usually when we think of strikes, we think of workers withdrawing their labour-power in order to pressure employers (or in the case of a general strike, governments) for better

working conditions. But, as students, we are not (generally) employees of McGill. Furthermore, McGill is not the target of the action. Why then have a student strike?

It is important to understand that strikes are also important symbolic actions. By "symbolic" I don't mean to suggest that they are token or ineffective, but rather operative within the symbolic order that structures and reflects power relations. In law school, we learn a lot about how to manipulate symbols in order to get a desired outcome. Surely we think that this is effective, else we wouldn't bother to read judgements or understand legal reasoning. Participating in a student strike against the FTAA is a way of symbolically registering your dissent and demanding that the governments planning on signing away our rights be held accountable. Your voice will not only be joining thousands of Montrealers, Québeckers, and Canadians, but millions of people across the entire Americas who are standing together and saying "NO!" to a world where profits come before people.

So, I hope that Thursday, shortly before 2:00 you will do as I plan to do: quietly close your books, stand up, and walk out of your class.

Law students (and faculty?) will be meeting in front of Pino & Matteo at 1:30 PM on Thursday. From there we will be going down to the Roddick Gates together.

Finn Makela is a member of the Communauté juridique radicale de McGill / McGill Radical Law Community

¹ Before coming to McGill Law, I worked in the student movement, organizing resistance to the Summit of the Americas in Québec City. What follows is extracted from a document that I helped to create in order to inform students of the serious consequences of signing the FTAA. ■

Participating in a student strike against the FTAA is a way of symbolically registering your dissent.

student unions to organize a student strike. At 2:00 PM, McGill students will be meeting at the Roddick Gates, ultimately meeting up with students from across the city. This raises a couple of questions for law students that I think are worth addressing: 1) Why should we care about the FTAA? 2) What is the purpose and effects of a student strike?

Why Should We Care About the FTAA?¹

The first rule of the FTAA is to turn human rights and the public good, such as education and healthcare, into commodities or products that can be bought and sold for profit. The products in this case are called 'services' and they are labelled a 'sector' of the economy. Examples of such products include courses, degrees, even colleges and institutes. The attempt to turn fundamental human rights into for-profit services has been undertaken by the ongoing process known as the General Agreement on Trade in Services (GATS), which is now being negotiated in Geneva. The GATS is the services agreement of the World Trade Organisation (WTO) and is mandated to gradually phase out all 'barriers' to international competition in the services

blue book presents...

The TOP 10 Great Things About Writing a Factum

10. A good way to add another 'B' to your growing collection.
9. The joy of spending this month's grocery budget on a brand new Cite Guide. Hooray!
8. This, and this alone, will determine your worth as a human being.
7. The horrific train wreck that will leave you hospitalized for the next two months seems less like tragedy and more like just good timing.
6. Imagine you're on Jeopardy one day, and the Final Jeopardy category is 'Intricacies regarding the Rules of Evidence in International Law' – you're the man, moneybags!
5. Later, you can sell your factum on the black market to some very lazy lawyer.
4. Finally, here's your chance to impress all those talent scouts from the National Factum League.
3. The library is a great place to hide from snipers.
2. Three words: Chicks Dig Factums.
1. In 20 years, you get to look back and laugh about how stressed you got over one of the most insignificant things you've ever done.

EXCLUSIVE

McGill Law Journal "Sex" Issue

The McGill Law Journal announced yesterday that it plans to give the 50 year old publication a massive face lift, beginning with the next issue. The "new" journal will target the 18-24 year old female law student. Changes include a full colour magazine-style cover, and "hipper" content.

A Journal spokesperson explained, "We decided to take the Journal in a new direction, because quite frankly, a lot of the traditional content - long, scholarly legal treatises - was getting stuffy and dull. Most of our readers are young female law students and our market research has shown that they are looking for a publication that deals with fashion, health, dating, sex and law. The old Journal only gave them the law part."

The first "post makeover" issue will include stories like "Fifty Great Winter Outfits for under \$50", "Does your Law School Boyfriend Really Love You: 5 Ways to Tell" and a collection of "Most Embarrassing Law School Moments". In the New Year, the Journal will publish its much anticipated "Sex and the Law" issue, which will become an annual feature.

Although some Faculty members have expressed concerns about the Journal's departure from its academic roots, the Journal spokesperson was unconcerned. "There are plenty of legal publications across the country where academics and practitioners can publish their legal ramblings. From now on, if you want to get an article in the McGill Law Journal, you better make it short and you better make it hot".

Pino & Matteo's Chico Squad's Tie Ends Perfect Run...

by Panger

While it was only the third game of the season and not even a loss, Chico skated off the ice an unhappy bunch after tying AEPI 1-all last Sunday afternoon. This disappointment reflects the high hopes of this bunch, more than a reflection of any glaringly bad plays or lack of effort. Still unbeaten, perhaps the rough style and sometimes goon tactics showed that Chico can't just show up and expect to win every time. Perhaps the rough stuff caught our boys offguard, as it took at least the first half of the first period to adjust. A mad rush down the right wing resulted in a somewhat weak goal on a clearly uncomfortable Chico 'keeper. However, the goal seemed to spark Chico, who controlled the play and were foiled only by the always solid, occasionally brilliant AEPI goalie. However, after fighting through hacks and elbows and killing a couple of questionable penalties, Chico's persistence finally paid off, as 'Loco' Locas finally finished off a rebound in front of the net off an Adam Z. drive.

Then things got interesting. Pushing and shoving mounted after each whistle. Forwards went hard into the boards, and defencemen hammered those who dared stake a claim to the slot. After a seemingly innocuous collision, the Professor came away with a face full of blood - certainly an accom-

plishment, considering he was wearing a full face shield. But the piece de resistance was left to Dennis "The Greek", who had a stick wrapped around his throat and 200 pounds of sweaty hockey equipment on top of his already fragile back. Both the neck-ringer and Dennis got the boot (after the latter delivered a well deserved punch to the head. [Quote of the game: "I'm not going to hit you, just get off me - please!" Dennis' response to a AEPI player's threat.]) Then came the lasting moment of the match: Dennis walking up the concrete stairs in his skates after being tossed. Most shocking of all, especially to those of you who remember last year's incidents, was that in all the ruckus, Sandy didn't even get a penalty.

The bottom line is that while Chico may not be perfect, they may now be a better team. Good teams learn from their mistakes, and we have a good team. Teammates are clearly willing to step up for each other. There is a strong commitment on this team that is not always found on intramural teams, and a strong respect for teammates. Even though we didn't win, there was no criticism in the dressing room - there was no blame placed, even though the goaltender could have been targeted. The core of this team has been together for a second season, and we have fun, and while it is more fun when

we win, we all get along and try to have fun no matter what.

First Star: Mathieu Locas (Game-tying goal)

Second Star: Stephen Panunto (Nice new trapper and neck-guard)

Third Star: David Lametti (Bloody-face)

Unsung Hero: Whoever has to sharpen Dennis' blades

...While Out Of Order's Perfect record still intact

by The Coach

Well, 0-3 is a perfect record, but the title is meant to reflect something slightly different: everyone has had fun in the first three games (except maybe Lizanne, who keeps getting her foot in the way of other people's sticks). In our first game, we lost 4-2, but the other team had a couple of players who were 'A' calibre, and we only had one spare player. The last two games have both been heartbreaking 1-0 losses, both of which could have gone our way with better bounces. The common denominator has been that everyone has given their best effort, had fun and has certainly improved. So in my books, as long as those elements are still there game after game, it will be a perfect season. And I'm proud to be a coach of a perfect team. ■

Submit to the Quid

Thursdays 5 PM

The Issue: a New Magazine at McGill Law

The premise of this magazine is to promote a more layered understanding of current global issues by publishing competing perspectives. The idea is to encourage people to read perspectives that they normally do not entertain. Often we read in order to reinforce what we already believe. The purpose of this magazine is to further a greater appreciation for the debate and complexities surrounding current controversial issues.

The topics that we have chosen for the January publication of *The Issue* are:

Topic #1: Safe Injection Sites

"As nurses watch, illegal drug users are injecting heroine and cocaine at a Vancouver clinic for people with HIV and AIDS" (Vancouver Sun, 12 April 2002).

Does Canada have a moral or legal responsibility to provide safe injection facilities for drug users? Should the Federal Government fund such facilities as part of an array of other clinical services offered to the public?

Topic #2: Kyoto Protocol

Canada is in the midst of a provincial debate over the ratification of the Kyoto protocol. Ottawa has announced that it will release a draft plan for meeting Kyoto targets by mid-November, while Alberta has released its own plan to reduce greenhouse gas emissions. Should the Canadian government ratify the Kyoto protocol or follow the Alberta plan? Is there another alternative?

Topic #3: War in Iraq

In the event of the failure of UN weapons inspection efforts to disarm Iraq, is the United States justified in pursuing a military resolution to the problem?

Topic #4: Crisis in Argentina

Many people have argued that Argentina is in the worst financial and institutional crisis of its history due to the policies adopted by the government while under the direction of the International Monetary Fund. Is this a valid argument?

CALL FOR SUBMISSIONS OPEN UNTIL NOVEMBER 22, 2002 at 3:00 pm.

BE A PART OF THE DEBATE.

We will be publishing 3 to 4 different perspectives on each topic. Submissions should be maximum 1000 words. They will not be edited so please respect the word limit. Anonymous submissions will not be accepted. For information contact theissue@heybro.com

A Challenge to Ms. Law

by Michelle Toering, Law II

No, I am not challenging Ms. Law to provide authorities on her comments that another law school may actually be better than McGill. Nor am I challenging her to enter the larger debate of socialism vs. capitalism and the effects privatization of the faculty would have on the integrity of our education. But I am challenging her to strap on a pair of skates, attempt to do laps on an Olympic size rink for a good five minutes at the same speed as Kurt Browning or Jamie Sale and then try to throw herself in the air, completing 3 rotations and landing cleanly on a blade no thicker than a piece of linguini - all the while looking graceful - and then tell me to my face

that figure skating is not a sport!

From my understanding sports involve physical exertion, muscular endurance, cardiovascular fitness, skill and a competitive edge. Depending on the kind of sport, the emphasis may be on one factor over another. Basketball may need more speed than badminton, and soccer more endurance than slalom skiing. But that does not make one more of a sport over another. Figure skating is an incredible integration of muscular endurance, strength, speed, balance, cardiovascular fitness and artistry. Perhaps it is the artistry component that throws everyone into the "skating is not a sport" argument. But I would like to see you try to pull off

what figure skaters do on the ice and make it look as easy as they do! I will not argue with the fact that the way in which winners are decided is in serious need of reform (I have been a victim of it since I was five!) and is perhaps the only legitimate reason for saying it should not be a sport. But I think that speaks more to poor administrative oversight over the years, not to the integrity of the sport or the athletic ability of these athletes.

So, Ms. Law, if figure skating is not a sport, why do these athletes spend so much time training their bodies and their minds in many similar ways as hockey players, tennis players and marathon runners? ■

The Human Rights Working Group - Legal Outreach Portfolio

By Collin Smith, Law I

S.15 Canadian Charter of Rights and Freedoms guarantees equality before and under the law, and equal protection and benefit of the law without discrimination. These rights are similarly guaranteed under the Universal Declaration of Human Rights, which states that everyone has the right to recognition everywhere as a person before the law.

Despite these universal protections, they are without legal effect for certain populations in Canada such as homeless people, street youth, street-involved drug users, sex trade workers, and others who may not be aware of their rights, or have limited or no access to the tools and services needed to realize these rights. Although legal aid clinics exist to provide assistance to people who may not otherwise be able to afford it, individuals must approach

them of their own initiative. In order to do so, they need to first be aware that they have legal rights, a step which is made difficult by the refusal on the part of large segments of society to recognize them.

The Legal Outreach Portfolio of the Human Rights Working Group believes that a commitment to human rights, democracy, and the rule of law should involve an attempt to make these rights truly universal. As law students, we possess the legal skills, knowledge, and access to legal resources to help address this need through the creation of a legal outreach program geared towards reaching homeless people, street youth, street-involved drug users, sex trade workers, and others.

We need students with a commitment to human rights in Canada to make this idea work. Working with the Legal

Outreach Portfolio will provide a diverse range of experiences and activities. We intend to work closely with our target population and the organizations that work with them, to raise awareness about human rights. However, a great deal of work will also be behind the scenes, identifying legal issues, developing resources and executing legal research that will be of value to human service organizations in Montreal and the entire country.

For a complete list of our activities and objectives, or to find out more about how you can become involved, contact the legal outreach coordinators Abigail Dubiniecki (Year 2) at adubin@po-box.mcgill.ca or Collin Smith (Year 1) at artfuldodger@vsn.ca. ■

Esoteric Magazine Call for Submissions

We are pleased to announce that submissions are now open for Volume Two of Esoteric Magazine, a new publication at the U.B.C Faculty of Law.

Esoteric Magazine was launched in 2001 by students at the U.B.C. Faculty of Law. The magazine is designed to foster an exchange of literary and artistic creation, and to provide a forum for creative discourse and expression within the legal community. This year's edition will be published in late February, and will be distributed to law schools and firms across the country and in the United States.

Esoteric Magazine features works by lawyers, practitioners, legal academics and law students. We are pleased to accept material from any individual in the legal community, and are currently seeking submissions of poetry, creative writing, music, photography and visual art. Also, due to the immense success of the inaugural edition, we have expanded our mandate to include creative non-fiction, editorial commentary, and inter-disciplinary essays on topics of law.

Submissions may be sent until November 15, 2002, either by email or post to the following address:

Esoteric Magazine
c/o U.B.C Faculty of Law
1822 East Mall
Vancouver, B.C.
V6T 1Z1
esotericmagazine@hotmail.com

International Law Symposium

The ICL Student Council in conjunction with the Latin American Law Students Association are pleased to invite you to our International Law Symposium to be held at our Faculty of Law, November 4-5, 2002 (see program).

The central theme of the 2002 Law Symposium is: Resolution of Investment Disputes in the North American Free Trade Agree-

ment. To address this topic, we are inviting a panel of outstanding legal experts and public officials with background in academic research, public service and private practice.

Our speakers and panelists would bring into focus the cases already in the books, the differences in reach and interpretation of the NAFTA Chapter Eleven dispute resolution framework, and their educated opinions as to its achieve-

ments and failures and its future prospects.

The Symposium is free of charge for McGill Law students. However, if attending the lunch and reception, a fee of \$25 will be assessed.

If interested in attending, please RSVP

rafael.gonzalez@mail.mcgill.ca

Resolution of Investment Disputes in the North American Free Trade Agreement Chapter 11: Regional Solutions to Global Problems

November 4-5, 2002
McGill University Faculty of Law
Common Room

AGENDA

Monday, Nov. 4, 2002

8:00-8:30 Registration

8:30-8:40 Welcome

8:40-9:00 **Chapter 11: Introductory Remarks**

Armand de Mestral, *Professor of Law*, McGill University

9:00-10:15 **Panel 1- Chapter 11: Regulatory Chill and Environmental Considerations**

What are the environmental implications to Chapter 11?

Marinn Carlson, *Associate*, Sidley Austin Brown & Wood LLP

Julie Soloway, *Associate*, Davies Ward Phillips & Vineberg LLP

Timothy Whitehouse *Head, Law and Policy Program*, North American Commission for Environmental Cooperation

10:15-10:45 Coffee break

10:45-11:15 **A Cultural Approach to International Disputes Resolution**

Nabil N. Antaki, *Professor of Law*, Université Laval

11:15-12:45 **Panel 2- Institutional v. ad hoc**

Which arbitral rules suit Chapter 11?

Hon. Marc Lalonde, *Partner*, Stikeman Elliot - CHAIR

James H. Carter, *Partner*, Sullivan & Cromwell

Fabien Gélinas, *Professor of Law*, McGill University

Richard Naimark, *Senior Vice President*, American Arbitration Association

12:45-14:30 **Lunch**

14:45-16:45 **Panel 3- Chapter 11: Practical Implications**

Peter Kirby, *Partner*, Fasken Martineau DuMoulin LLP

Brian Casey, *Partner*, Baker & McKenzie

Sylvie Tabet, *Counsel*, Trade Law Bureau, Canada Department of Foreign Affairs and International Trade

16:45-17:00 Break

17:00-17:45 **The Evolution of NAFTA Norms**

Todd Jeffrey Weiler

Professor of Law, Windsor University

17:45-18:00 Break

18:00-19:30 **Panel 4- Interface: national courts and arbitral tribunals**

What is the role of the national judiciary?

Jeffrey Talpis, *Professor of Law*, Université de Montréal-CHAIR

Christopher F. Dugan, *Partner*, Jones Day

Hon. Benjamin Greenberg, *Partner*, Stikeman Elliot

Marlon López, *Professor of Law*, ITESM Facultad de Derecho

19:30- Reception

Tuesday, Nov 5, 2002

8:00-8:30 Coffee, juice, muffins

8:30-10:30 **Panel 5- Analysis of the Interpretive Note**

What is fair and equitable treatment?

Patrick G. Foy, *Partner*, Borden Ladner Gervais -CHAIR

Mark A. Clodfelter, *Assistant Legal Adviser for International Claims and Investment Disputes*

Office of the Legal Adviser U.S. Department of State

Meg Kinnear, *General Counsel*, Trade Law Bureau, Canada Departments of Justice and Foreign Affairs and International Trade

Ian Laird, *Associate*, Davis & Co.

Hugo Perezcano Díaz, *General Counsel*, Consultoría Jurídica de Negociaciones, Secretaría de Economía

José Luis Siqueiros, *Vice President*, Comisión de Arbitraje Internacional ICC México

10:30-11:00 Coffee Break

11:00-12:30 **Panel 6: Chapter 11 and Beyond: Cautions and Prescriptions**

How to improve Chapter 11?

Charles M. Gastle, *Partner*, Shibley Righton LLP -CHAIR

Steve Brereton, *Director*, Investment Trade Policy Division, Canada Department of Foreign Affairs and International Trade

Gabriel Cavazos, *Director*, Master's in Law Programme, ITESM

Charles E. Roh, *Partner*, Weil Gotshal & Manges LLP

12:30-12:45 Closing Remarks ■

(Written 17/01/2000)

The Best 4 Days of My Life

by Marc Edmunds, Trans 1 of yore

As I sit here trying to deal with my feelings, I am overcome by depression. You see, I got back yesterday from an experience that can best be described as the best 4 days of my life. Law Games were an awesome experience, but now they are over, and I must move on with my life. And I just want the whole experience never to have ended. But it did, and so I must move on, and that is what depresses me.

Without a doubt, the first thing I would like to do is give the biggest thank you I can possibly muster to those that made it possible. Kate Wood rules the universe, and any of us that were in Ottawa should recognize that fact and thank her ENORMOUSLY for everything she did - I KNOW we all had a fantastic time, and it is in most part because of her. So Kate, thank you, thank you, thank you! And Peter Pound (Peter Pan?!) too, thank you - you rock dude, and your efforts are most appreciated. And thank you to everyone that went and participated and organized - you all played an integral part in making those 4 days the most special of my life, and I will never forget you for it.

Secondly, how much does McGill Law rule? Let me tell you how much. In the first year of the academic portion, we won it. We ALSO retained our sports title. AND we won the Spirit award. By the way, in case anyone didn't see much of the trophy on Sunday, I must apologise as that is my fault - I held on and wouldn't let go - a very precious trophy! Back to the Triple Crown for a second though - it is a very rare achievement, and one we should all be VERY proud of. To all you guys on those amazing teams (of all sorts) that kicked major ass every which way, FANTASTIC job! McGill rules, we absolutely rule. And I know that we did a pretty decent job (!!!) of thanking everyone profusely while we were there, and even though they are not

likely going to be able to read this, thank you too to the organizers of the event itself, Ottawa U - we had a fantastic time guys, even if the busses were, um, well, a tad tardy on the odd occasion!

It is difficult to explain in an article an event such as Law Games to those that didn't go, because much of the fun parts are inside jokes that only we get. But to try and give you a rough idea, it was a weekend of debauchery and enormous fun. And a lot of spirit. We were loud, we were proud, we were friendly - McGill gave a very solid representation of itself this weekend, with a few minor indiscretions. We must easily have been the best participating team (not in delegation size, but in fielding teams), and really showed some impressive fortitude by getting up (not all of us!) at all hours to go and play sports all day after having returned from bars way into the wee hours of the morning. Shout outs to all those that participated - awesome job guys!

What made McGill's performance even more impressive I think was how much fun we had doing it. From observing other delegations, it seems to me that we did so well because we had the most fun doing it. We enjoyed our sporting events the most, we cheered on our crazy teams with the most heart, and just really enjoyed being there the most. Then we MUST have had more fun in the bars than anyone else - drinking and dancing up a storm and really making our presence felt.

I seem to have said a whole lot without actually saying all that much, which can be the way with me sometimes, so I apologize. But I do want to tell you that if you didn't go, try to next year, especially if we host, as it really was a very fun time. The best 4 days of my life actually. So again, to everyone who had anything whatsoever to do with this entire weekend, THANK YOU!!! ■

(Written 19/01/2001)

Marc's Musings

So I was supposed to write an article about Law Games called LG-2-001 - kind of an MI-2 spoof, coz people didn't think we could do it, so it was a veritable Mission Impossible, with Marianne as our own Ethan Hunt (Tom Cruise for the MI-uneducated), which we accomplished nonetheless. But then the first free Coffee Haus - uh, sponsored Coffee Haus - hit, and then I was in the first wave of factum-writers, and one thing led to another and I never got round to it. So there was no LG-2-001 article, much to my dismay. I consoled myself with the fact that there would be way too many Law Games articles anyways, and the last thing anyone out there wanted to read was another of my

rants, or raves I guess is more appropriate. But then there were only two (if you don't count the internal awards) - the ever-reliable Jodi - for just being Jodi, and our loveable Zeus, who wrote a very cool article but also graciously allowed me to be very selfish with the Sports Trophy that victorious night - thanks dude, I needed some sort of Cup to hold on to as I tearfully watched another university perform the celebrations I was so very glad to be a part of last year.

An explanation: Laval won the Spirit award this year, and for those that don't know Law Games, it is the biggie - and we won it, the Sports, and the Academic last year - clean sweep. But the thing is, (and hold your breath, Kris

- here it comes...) they deserved it this year. Pointe Finale. There were more of them (which has to count for something), they were louder, and they were more spirited. I am very tempted to add some sort of caveat here, but, out of a strained attempt at maturity, will refrain.

The point of my little side-bar was that I was very pained to watch the

torch change hands - even though it did so very deservedly - and so strangling the Sports trophy, to the point that Zeus and I managed to break it in an exchange, kept me sane - albeit barely. But this is not, contrary to how it seems at this point, an article about Law Games - that would be so passé, right? As my friend James said all summer long, (whenever my stories got long

and I would say "to make a long story short...") "TOO LATE!" But it really isn't about Law games, though before I end this section I would like to thank Marianne on behalf of the entire contingent, all 36 of us, for an absolutely amazing four days - Fantastic Job, and, count with me everyone, 1-2-3 - Thank You Marianne!!! ■

(Written 10/10/2001)

Postscript

The article really wasn't about Law Games (LG) then, but is now. It ended up with me complaining about the factum, complaining (er, I seem to do that a lot!) about last year's poor participation at Coffee Haus, raving about U2 coming to town (sound familiar?), mentioning upcoming Human Rights events, and just generally rambling. None of it seemed relevant for an article to be reprinted for this year's LG Quid.

I think it will be easy to see, though, from the two articles I have written after previous LG's, that I had a good time. But then I suppose it isn't very difficult for any of you to imagine me having a good time, especially when there are fun activities and all

kinds of mad partying going on. The thing is, at Law Games - well, it is impossible not to have fun, for anyone. And we are hosting it this year (the mention of that in the first article was because we thought we might get it for this past year, 2001, but they decided it would be better to send it out West for once - then turned around and awarded it to us for 2002 because they knew we deserved it), so we'd BETTER have fun.

In some ways, it is always fun to go somewhere else and disappear completely into a strange place for a strange little trip, but it is also so much fun to be the hosts. Between 1500 & 2000 law students from across the country are coming to Montreal expect-

ing us to show them a good time. I know for a fact that the city won't disappoint, and I know for a fact that the organizers (our stellar, and very hard-working team) won't disappoint - so the only question remains you, the 1st-years. Well, everybody, but 1st-years know nothing about this, so should really make an effort to get into it. Think of it as Orientation (ha-ha), but compacted into 4 days, with about 10 times the amount of people, and, believe it or not, about 50 times the amount of spirit. It promises to be a grand time for all. And for you studious types, you won't even miss a single class! So make like the Price is Right, and "COME ON DOWN!!!" ■

quid.law@mcgill.ca

LSA NEWS and ANNOUNCEMENTS

Calendar of Events October 29-November 5, 2002

THIS WEEK

Wednesday at 12:30 pm LSA council meeting will be held in the Moot Court, as there will be a very important discussion which all students are encouraged to attend (please see President Feiner's article inside)

Thursday at 4:30pm, **LAW GAMES COFFEE HOUSE**. Be there for last year's Law Games video, the student/professor auction, and Raffle. Plus food, drinks and FREE CANDY for those in costume!!

LATER Thursday at 9pm the Faculty of Medicine has invited us to their Halloween Party in the Med Annex.

Friday McGill Redmen vs Queens Golden Gails (whatever that is) at McConnell Winter Arena. Tickets on sale (\$3) at the LSA. Busloads of Queens fans are coming down for the game – don't let them drown out McGill!

UPCOMING

Tuesday, November 5th: Canadiens vs Blues at the Bell Centre. Tickets are \$26 as part of Law Games fundraising. Go Habs Go!

News You Need

- Registration forms for Law Games are available outside the LSA. Return completed forms with \$100 deposit (payable to the Law Students Association of McGill) to the VP Sports box in the LSA by Friday, November 8th.
- Raffle tickets are available for the Law Games raffle – tickets are \$2 each, or 3 for \$5. Pick them up at the LSA or any number of students who will be accosting you in the halls over the next week.
- Have you noticed improvements in the computer labs in Old and New Chancellor Day Hall? New monitors and CPU's have been installed in both labs. These improvements are courtesy of a fund that all law students pay into for precisely this purpose. Enjoy!
- Hopefully the Bottin will be ready by early November, but agendas are still available.
- The Clubs Budget is posted outside the LSA office, for anyone who is interested in seeing how funds have been allocated, as is the list of who will be holding coffeehouses this semester.
- Congratulations to Jean-François Laroche for finishing 11th in the world at the World Under-23 Cycling championships.